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4 UNITED STATES BANKRUPTCY COURT
5 FOR THE WESTERN DISTRICT OF WASHINGTON

6 In re

7 TERRI JEAN WINDHAM,

8
9 Debtor.

Case No. 09-18582

10
11 UNITED STATES TRUSTEE,

12 Plaintiff,

13 vs.

14 TERRI JEAN WINDHAM,

15
16 Defendant.

Adversary Proceeding No. __ - ____

COMPLAINT TO DENY DISCHARGE

17
18 The United States Trustee, Robert D. Miller Jr., for claims against Terri Jean Windham, states
19 as follows:

20 **JURISDICTION AND VENUE**

- 21 1. This is a complaint to deny the Defendant's discharge pursuant to 11 U.S.C. § 727(a).
22 2. The Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §
23 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(J). Venue is proper pursuant to 28
24 U.S.C. § 1409(a).

25 **PARTIES**

- 26 3. The Plaintiff is the United States Trustee for Region 18, which includes the Western
27 District of Washington. The United States Trustee has standing to bring this action under 28 U.S.C. §
28 586(a) and 11 U.S.C. §§ 307 and 727(c).

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4. The Defendant is the debtor in the above-referenced Chapter 7 bankruptcy case.

STATEMENT OF FACTS

5. On August 21, 2009, the filed the above-referenced petition under Chapter of the Bankruptcy Code. John S. Peterson was appointed to serve as the Chapter 7 Trustee ("Trustee").

6. On October 8, 2004, the Defendant filed Case No. 04-23146 in the Western District of Washington.

7. On February 3, 2005, the Defendant received a discharge in that case.

FIRST CLAIM FOR RELIEF

Denial of Discharge Pursuant to 11 U.S.C. § 727(a)(8)

8. In violation of Section 727(a)(8), the Defendant seeks to receive a discharge within eight years of receiving a discharge under Chapter 7.

WHEREFORE, the United States Trustee requests the following relief:

A. That the Court enter a judgment denying the Defendant's discharge; and

B. For such other and further relief as the Court deems just and equitable.

DATED January 11, 2010.

ROBERT D. MILLER JR.
Acting United States Trustee

/s/ Thomas A. Buford III
Thomas A. Buford III, Missouri Bar #56460
Attorney for United States Trustee

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